

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE ANIMAL SERVICES DIVISION

- 1. Title and its heading:** 3, Agriculture
Chapter and its heading: 2, Department of Agriculture
Animal Services Division
Article and its heading: 1, General Provisions
Section numbers: Table 1
- 2. The subject matter of the proposed rule:**
This rulemaking will amend time-frames for “Dairy Products and Control” and “Egg Products and Control.”
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 9 A.A.R. 498, February 21, 2003
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Sherry D. Blatner, Rules Analyst
Address: Arizona Department of Agriculture
1688 W. Adams
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: sherry.blatner@agric.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments: 8:00 a.m. through 5:00 p.m., Monday through Friday
Oral comments: 8:00 a.m. through 4:00 p.m., Monday through Friday
Arizona Department of Agriculture
1688 W. Adams
Phoenix, AZ 85007
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF DENTAL EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 11, State Board of Dental Examiners
Article and its heading: 4, Fees
Section numbers: R4-11-406
- 2. The subject matter of the proposed rule:**
New rules for oral conscious sedation permits were approved by the Board on December 6, 2002. This amendment to Section 406 will establish the fee for the oral conscious sedation permit.
The agency docket number, if applicable:
R0301

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3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 9 A.A.R. 501, February 21, 2003

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Julie N. Chapko, Executive Director
Address: Arizona State Board of Dental Examiners
5060 N. 19th Avenue, Suite 406
Phoenix, AZ 85015
Telephone: (602) 242-1492
Fax: (602) 242-1445

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments: The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m.

Oral comments: Monday through Friday, 8:00 a.m. to 4:30 p.m.

Arizona State Board of Dental Examiners
5060 N. 19th Avenue, Suite 406
Phoenix, AZ 85015

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

6. A timetable for agency decisions or other action on the proceeding, if known:

None

NOTICE OF RULEMAKING DOCKET OPENING
BOARD OF OPTOMETRY

1. Title and its heading:
Chapter and its heading:
Article and its heading:

4, Professions and Occupations
21, Board of Optometry
1, General Provisions
2, Licensing Provisions
3, Regulatory Provisions
4, Public Participation Procedures
5, Executive Director Duties

Section numbers:

R4-21-101 through R4-21-103, R4-21-201 through R4-21-210 and
Table 1, R4-21-301 through R4-21-308, R4-21-401 through R4-21-406
and R4-21-501 through R4-21-505 (Articles and Sections may be
added, modified, or deleted as necessary.)

2. The subject matter of the proposed rule:

The proposed rules address changes resulting from Laws 2001, Ch. 331. In addition this rulemaking will update language and terminology used in the rules to improve consistency and clarity. Anticipated changes include:

- A. Delegating licensing and regulation duties to Executive Director.
- B. Clarifying the endorsement and regular application process.
- C. Modifying license renewal process and prorated renewal fee.
- D. Updating approval of continuing education programs.
- E. Clarifying licensee record retention.
- F. Making technical corrections.
- G. Defining new terminology.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Jack Confer
Address: 1400 W. Washington, #230
Phoenix, AZ 85007
Telephone: (602) 542-8155

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Fax: (602) 542-3093
E-mail: jconfer@webmail.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments: 8:00 a.m. to 5:00 a.m., Monday through Friday
Arizona State Board of Optometry
1400 W. Washington, #230
Phoenix, AZ 85007

Oral comments: 8:00 a.m. to 5:00 p.m., Monday through Friday
Arizona State Board of Optometry
1400 W. Washington, #230
Phoenix, AZ 85007

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF EDUCATION

- 1. Title and its heading:** 7, Education
Chapter and its heading: 2, State Board of Education
Article and its heading: 3, Curriculum Requirements and Special Programs
Section numbers: R7-2-306
- 2. The subject matter of the proposed rule:**
Bilingual programs and English as a Second Language Programs (English Language Learner Programs)
- 3. A citation to all published notices relating to the proceedings:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christy Farley
Address: 1535 W. Jefferson
Phoenix, AZ 85007

Telephone: (602) 542-5057
Fax: (602) 542-3046
E-mail: cfarley@ade.az.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments may be submitted to Christy Farley, Executive Director, State Board of Education, at the address in item #4. Written comments will be accepted until May 30, 2003. A public hearing will be held on June 11, 2003 to receive public testimony. The public meeting will be posted at 1535 W. Jefferson, first floor, and will also be available on the Department of Education web site under the State Board of Education page www.ade.az.gov/stateboard.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING
STATE BOARD OF EDUCATION

1. **Title and its heading:** 7, Education
Chapter and its heading: 2, State Board of Education
Article and its heading: 4, Special Education
Section numbers: R7-2-401, R7-2-402, R7-2-403, R7-2-404, R7-2-405, and R7-2-408
2. **The subject matter of the proposed rule:**
Special Education and Exceptional Student Services
3. **A citation to all published notices relating to the proceedings:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christy Farley
Address: 1535 W. Jefferson
Phoenix, AZ 85007
Telephone: (602) 542-5057
Fax: (602) 542-3046
E-mail: cfarley@ade.az.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments may be submitted to Christy Farley, Executive Director, State Board of Education, at the address in item #4. Written comments will be accepted until April 30, 2003. A public hearing will be held on May 13, 2003 to receive public testimony. The public meeting will be posted at 1535 W. Jefferson, first floor, and will also be available on the Department of Education web site under the State Board of Education page www.ade.az.gov/stateboard.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING
STATE BOARD OF EDUCATION

1. **Title and its heading:** 7, Education
Chapter and its heading: 2, State Board of Education
Article and its heading: 6, Certification
Section numbers: R7-2-611 and R7-2-617
2. **The subject matter of the proposed rule:**
Career and Technical Education Teacher Certification
3. **A citation to all published notices relating to the proceedings:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Christy Farley
Address: 1535 W. Jefferson
Phoenix, AZ 85007
Telephone: (602) 542-5057
Fax: (602) 542-3046
E-mail: cfarley@ade.az.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments may be submitted to Christy Farley, Executive Director, State Board of Education, at the address in item #4. Written comments will be accepted until April 30, 2003. A public hearing will be held on May 12, 2003 to receive public testimony. The public meeting will be posted at 1535 W. Jefferson, first floor, and will also be available on the Department of Education web site under the State Board of Education page www.ade.az.gov/stateboard.

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- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

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**DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSURE**

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services
Health Care Institutions: Licensure
Article and its heading: 9, Nursing Care Institutions
Section numbers: R9-10-905 and R9-10-908 (The Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**
The purpose of this rulemaking is to clarify the language in R9-10-905 and R9-10-908 pertaining to pulmonary tuberculosis testing requirements for staff, volunteers, and residents of nursing care institutions. The Department may add, delete, or modify additional Sections as necessary.
The agency docket number, if applicable:
RE-001-03
- 3. A citation to all published notices relating to the proceeding:**
None published
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Vicki A. Conditt, Rules Analyst
Address: Department of Health Services
1647 E. Morten, Suite 230
Phoenix, AZ 85020
Telephone: (602) 674-4255
Fax: (602) 861-0674
E-mail: vcondit@hs.state.az.us
or
Name: Kathleen Phillips, Rules Administrator
Address: Department of Health Services
1740 W. Adams, Suite 102
Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: kphilli@hs.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted until the close of record, which has not yet been determined. If an oral proceeding is scheduled for these rules, oral public comments may be presented at that time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF ADMINISTRATION
SCHOOL BUSES

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 9, Department of Administration
School Buses
Article and its heading: 1, School Bus Minimum Standards
Section numbers: R17-9-101 through R17-9-111 and Exhibit A
- 2. The subject matter of the proposed rule:**
Minor revisions will be made to clarify provisions regarding drug testing of school bus drivers and consumption or transportation of medications by a passenger on a school bus. Additionally, changes will be made regarding school bus classroom and behind-the-wheel instructors to make the rules consistent with statute.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Jeanne Hann
Address: 100 N. 15th Avenue, Ste. 402
Phoenix, AZ 85007
Telephone: (602) 542-2006
Fax: (602) 542-1486
E-mail: Jhann@ad.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking. Oral or written comments may be submitted during business hours to the person identified in item #4.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Not known

NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA RACING COMMISSION

- 1. Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
Chapter and its heading: 2, Arizona Racing Commission
Article and its heading: 1, Horse Racing
Section numbers: R19-2-102, R19-2-106, R19-2-107, R19-2-109, R19-2-111, R19-2-113, R19-2-114, R19-2-115, and R19-2-123
- 2. The subject matter of the proposed rule:**
The rules are being updated at the request of racing industry stakeholders. The subjects of the Sections to be amended are varied.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: William J. Walsh
Address: 1110 W. Washington, Suite 260
Telephone: (602) 364-1700
Fax: (602) 364-1703
E-mail: BWalsh@racing.state.az.us

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5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Both written and oral comments will be accepted during business hours at the address and phone number listed in item #4.

6. A timetable for agency decisions or other action on the proceeding, if known:

None